

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AMRES CORPORATION : **CIVIL ACTION**
:
v. : **NO. 24-771**
:
MICHAEL MUFFOLETTO :

ORDER

AND NOW, this 21st day of May 2024, upon considering Defendants' Motion to dismiss (ECF No. 35) Plaintiff's fourth amended Complaint (ECF No. 30), Plaintiff's Opposition (ECF No. 54), Defendants' Reply (ECF No. 55), and for reasons in today's accompanying Memorandum, it is **ORDERED** Defendants' Motion (ECF No. 35) is **GRANTED in part** and **DENIED in part** requiring we:

1. **DISMISS** with prejudice:
 - a. all claims against T2 Financial, LLC for failing to state a claim after several attempts;
 - b. all claims against Anthony Grothouse and Timothy Johnson for lack of personal jurisdiction over these Ohio citizens who directed their activities outside of Pennsylvania;
 - c. T2 Financial, LLC, Anthony Grothouse, and Timothy Johnson;
 - d. the breach of Section VIII of the Non-Solicitation Agreement against Michael Muffoletto;
2. **PROCEED** on an alleged breach of Section VII claim and breach of fiduciary claim against Michael Muffoletto requiring he file an Answer to the remaining allegations no later than **June 4, 2024**;

3. **STRIKE** paragraphs 47 and 94 of the fourth amended Complaint (ECF No. 30);

and,

4. **AMEND** the caption as above to reflect the remaining claims against Michael Muffoletto.



KEARNEY, J.